THE HON'BLE SRI JUSTICE C.V.RAMULU

W.P.No.18201 of 2000

ORDER:

It seems, the petitioner applied for fair price shop dealership of Daida village, Gurajala mandal, Guntur district and after the process of selection, she was appointed through the proceedings of the Revenue Divisional Officer dated 11.12.1999 in File D.Dis.No.1464/99-T and she has been distributing the essential commodities. While so, the third respondent filed an appeal before the second respondent-Joint Collector against the appointment order of the petitioner complaining that the petitioner has not passed 10th class, therefore, she is not entitled for appointment as fair price shop dealer and G.O.Ms.No.198 dated 6.2.1996 contemplates that even the person with less qualification can be considered, if candidates with 10th class pass are not available. But such relaxation was not mentioned in the said notification, otherwise, several candidates would have applied for the said post. The appeal was allowed only on the ground that the petitioner has not passed 10th class. Aggrieved by the same, petitioner herein filed revision before the first respondent-District Collector. The first respondent also passed a mechanical order stating that the Joint Collector quashed the appointment of the petitioner and there is no need to interfere with the said orders, and except this, no reasons were furnished by the District Collector.

It is not the case of the third respondent that the petitioner does not satisfy the criteria of minimum educational qualification as required under G.O.Ms.No.198 dated 6.2.1996 though she has not passed 10th class. She only claimed that had it been notified that even the persons person who possess educational qualification less than 10th pass can

apply, she could have applied for the same. Further, this vacancy is reserved for B.C. category, whereas the third respondent belongs to O.C. category. The third respondent did not apply for the post. Therefore, looking from any angle, the third respondent is not an interested party and the second respondent ought not to have entertained her appeal.

In the result, the writ petition is allowed and the orders passed by the second respondent dated 3.5.2000 as confirmed by the first respondent dated 9.8.2000 are set aside. No order as to costs.

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C.V.RAMULU, J

Date: 7.8.2006

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THE HON'BLE SRI JUSTICE C.V.RAMULU

7.8.2006

IN THE HIGH COURT OF JUDICATURE OF ANDHRA PRADESH AT HYDERABAD

THE HON'BLE SRI JUSTICE C.V.RAMULU

W.P.No.18201 of 2000

Dated: 7th August, 2006

Between:

Ravi Nutula Sulochana

.. Petitioner

and

The District Collector,
Civil Supplies, Guntur & others.

.. Respondents